

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

ANA MARIAM BEJARANO

Debtor

Chapter 13

Case No. 21-10087-KHK

OBJECTION TO CONFIRMATION OF PLAN,
NOTICE OF OBJECTION TO CONFIRMATION OF PLAN
AND
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this objection to confirmation of your Chapter 13 Plan filed February 4, 2021. The cause for this objection is as follows:

Violation of 11 U.S.C. §1325(a)(6) - Feasibility.

- Attorney fee provision (Section 3A(2)) does not match Rule 2016 Disclosure.
- Debtor was unable to maintain her Plan obligations in her most recent prior case, (Case No. 18-13444-BFK) which was dismissed less than two months before this one was filed. Her financial situation does not seem to have materially changed.
- Debtor has not made her first Plan payment that was due on February 20, 2021.

Violation of 11 U.S.C. §1325(a)(3) and 11 U.S.C. §1325(b)(1)(B) - Good Faith and Disposable Income.

- Trustee objects to payment of mother's vehicle and retention of two family timeshares on a 1% Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

Notice of Objection To Confirmation

Ana Mariam Bejarano, Case # 21-10087-KHK

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

Attend the hearing to be held on March 25, 2021 at 1:30 p.m., in Courtroom III on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314.¹ If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: March 1, 2021

/s/Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

¹ Pursuant to the Bankruptcy Court's Protocol in response to COVID-19 Public Health Emergency, parties appearing for hearings shall appear via Zoom for Government and must pre-register and follow the procedures set forth at https://www.vaeb.uscourts.gov/wordpress/?page_id=9098.

Notice of Objection To Confirmation

Ana Mariam Bejarano, Case # 21-10087-KHK

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of March, 2021, served via ECF to authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

Ana Mariam Bejarano
Chapter 13 Debtor
4204 Carmel Terrace
Chantilly, VA 20151

Suad Bektic
Attorney for Debtor
New Day Legal, PLLC
98 Alexandria Pike, Suite 10
Warrenton, VA 20186

_____/s/ Thomas P. Gorman_____
Thomas P. Gorman